

**WASHINGTON COUNTY COMMISSION
MEETING MINUTES
OCTOBER 20, 2015**

The Regular Meeting of the Board of the Washington County Commission was called to order by Chairman Alan D. Gardner at 4:00 p.m. on October 20, 2015, in the Washington County Commission Chambers, 197 East Tabernacle St. George, Utah. Those in attendance were Chairman Alan D. Gardner, Commissioner Victor Iverson, County Administrator Dean Cox, Deputy County Attorney Eric Clarke, and Deputy County Clerk Nicholle M. Felshaw.

Commissioner Zachary Renstrom participated via conference call.

INVOCATION BY: Rabbi Helene Ainbinder, Beit Chaverim Jewish Congregation of Southern Utah

PLEDGE OF ALLEGIANCE LED BY: K. L. Hall, Army Veteran

CONSENT AGENDA:

The Consent Agenda is a means of expediting routine matters which come before the Commission for approval. The Consent Portion of the agenda is approved by one (1) non-debatable motion. If any Commissioner wishes to remove an item from the Consent Portion of the agenda, then that item becomes the first order of business on the Regular Agenda.

- Consideration of Auditor-Approved Claims for Payment for October 7, 2015, through October 20, 2015
- Consideration of Administrative Adjustments: Real Property (attached)
- Consideration of Administrative Adjustments: Personal Property (attached)
- Consideration of Applications for Property Tax Abatement: Lawrence E Hill, A/N 0812477; Jeffery M. Robicheaux, A/N 062977; Betty Galvin, A/N 0139280; Richard Thomas, A/N B001912; Earl and Reva Roundy, A/N 0652506; Rosamond and Steven Craig Applegate, A/N 0059033
- Consideration of Designation of Signature Authority for Utah Department of Transportation (UDOT) Public Transit Team Award & Management Process for the Purpose of Grant Applications for Council on Aging

MOTION: Motion by Commissioner Iverson to Approve the Consent Agenda as presented. Motion seconded by Commissioner Renstrom and carried by unanimous vote, with Commissioners Gardner, Iverson and Renstrom voting aye.

REGULAR AGENDA ITEMS FOR CONSIDERATION:

PRESENTATION: FIVE COUNTY HUMAN SERVICES AWARD TO KENT HEIDEMAN FOR HIS YEARS OF SERVICE

Five County Association of Governments Director of Community Action Clint Cottam stated that he also provides staff support for the Five County Association of Governments Human Services Council. Mr. Cottam expressed that this council, required by Federal law, governs policies related to the Community Service Block Grant and other programs that assist low income and homeless towards self sufficiency.

Mr. Cottam expressed appreciation to the County for their part in supporting this Council. The County appoints one Commissioner as well as an additional County representative to the Council. Commissioner Iverson has been appointed as a member of the Human Services Council. Over the last nine (9) years the County has also appointed and reappointed Kent Heideman to serve on the Council. However, Mr. Heideman has obligations that prevent him from continuing on the board at this time.

Mr. Cottam presented a plaque to Kent Heideman expressing the Council's appreciation to him for being an outstanding board member over the last nine (9) years.

EMERGENCY SERVICES REPORT: DEPUTY DARRELL CASHIN

Washington County Deputy Darrell Cashin reported on Search and Rescue (SAR) efforts from August 5, 2015 through October 20, 2015 stating that there were twenty-one (21) call outs for a total of 1,357.5 man hours.

This time period included the flash flooding in Hildale, Utah that took place on September 14, 2015. The search efforts continue as one victim has still not been located.

Commissioner Gardner recognized the attendance of Mike Thomas, Commander of SAR, and asked that he convey the Commission's thanks and appreciation to all of SAR for their efforts.

(See attached report for additional details)

PURCHASE REQUESTS: MARK BLANCH

Convention and Tourism Office, LED billboard campaign in Denver (\$40,000.00)
Road Department, chips for resurfacing..... (\$23,840.26)

All purchases are budgeted, bonded, or paid for through grant funds.

MOTION: Motion by Commissioner Iverson to Approve the Purchase Requests. Motion seconded by Commissioner Renstrom and carried by unanimous vote, with Commissioners Gardner, Iverson and Renstrom voting aye.

CONSIDERATION OF SPECIAL EXCEPTION OF TAX ABATEMENTS: KIM HAFEN

Washington County Clerk Auditor Kim Hafen presented two (2) tax abatements to the Commission for approval and gave background history.

Mr. Hafen stated that the owner with personal property A/N B011511 applied for a Tax Abatement and was approved in 2011 and 2015. In 2012, 2013, and 2014 the resident neglected to apply but would have been eligible to receive the benefit based on income. This resident has medical issues and is in jeopardy of losing the property through the personal property eviction process. Mr. Hafen recommends that this Tax Abatement be approved for the years, 2012, 2013, and 2014 for approximately \$691.00

Mr. Hafen continued by stating that the owner of the real property A/N 94303 applied for a Tax Abatement and was approved in 2011, 2014, and 2015. Tax Abatements were not applied for in 2012 and 2013 but would have been approved based on income. Based upon the owners medical issues Mr. Hafen recommends the Tax Abatements be approved for the years, 2012 and 2013 for approximately \$2,000.

Mr. Hafen stated that because these exceptions are not for the current year, the State would not be able to assist with their standard portion, leaving the County responsible for the total amount approved.

MOTION: Motion by Commissioner Iverson to Approve Applications for Property Tax Abatement Account Numbers B011511 and 94303 for the Full Amount Recommended by the County Clerk Auditor. Motion seconded by Commissioner Renstrom and carried by unanimous vote, with Commissioners Gardner, Iverson, and Renstrom voting aye.

CONSIDERATION OF RESOLUTION NO. R-2015-1943, A RESOLUTION APPROVING THE DESERT TORTOISE MANAGEMENT OVERSIGHT GROUP CHARTER

Habitat Conservation Plan (HCP) Biologist Cameron Rognan provided background on the Desert Tortoise Management Oversight Group stating that it was first established in 1988 in response to the declining tortoise population. The group strives to: enhance interagency coordination of desert tortoise recovery efforts, provide a roundtable for sharing

information and raising and resolving issues that cross jurisdictional boundaries, and provide a forum for stakeholder input on desert tortoise issues.

In 2008 membership was expanded to include County governments. Washington County has participated in meetings but this agreement allows the County now to participate and contribute as an official member.

MOTION: Motion by Commissioner Iverson to Adopt Resolution No. R-2015-1943, a Resolution Approving the Desert Tortoise Management Oversight Group Charter. Motion seconded by Commissioner Renstrom and carried by unanimous vote, with Commissioners Gardner, Iverson and Renstrom voting aye.

CONSIDERATION OF RESOLUTION NO. R-2015-1944, A RESOLUTION APPOINTING A MEMBER TO THE FIVE COUNTY HUMAN SERVICES COUNCIL ADVISORY BOARD

Commissioner Iverson recommended Lil Barron be appointed as a member to the Five County Human Services Council Advisory Board. Ms. Barron is currently a member of the community and is the Director of Development and Community Relations for Habitat for Humanity of Southwest Utah.

MOTION: Motion by Commissioner Iverson to Adopt Resolution No. R-2015-1944, a Resolution Appointing Lil Barron to the Five County Human Services Council Advisory Board. Motion seconded by Commissioner Renstrom and carried by unanimous vote, with Commissioners Gardner, Iverson and Renstrom voting aye.

CONSIDERATION OF RESOLUTION NO. R-2015-1945, A RESOLUTION AUTHORIZING THE EXECUTION OF THE WASHINGTON COUNTY DRUG TASK FORCE AMENDED INTERLOCAL AGREEMENT

Washington County Attorney Brock Belnap stated that the Drug Task Force is a law enforcement organization that was established in 1997 in Washington County to facilitate joint and cooperative action to investigate and prosecute controlled substance offenses.

Since its creation, the Task Force practices and the law regarding interlocal agreements have changed and don't reflect current operating practices or coincide with the current interlocal agreement statute.

This amended agreement updates the interlocal agreement with Hurricane City, Ivins City, Santa Clara City, St. George City, Washington City, and Washington County, bringing it up-to-date with the statute and current practices.

Although the smaller cities are not participating in this agreement, the Task Force has county-wide jurisdiction.

MOTION: Motion by Commissioner Iverson to Adopt Resolution No. R-2015-1945, a Resolution Authorizing the Execution of the Washington County Drug Task Force Amended Interlocal Agreement. Motion seconded by Commissioner Renstrom and carried by unanimous vote, with Commissioners Gardner, Iverson and Renstrom voting aye.

CONSIDERATION OF RESOLUTION NO. R-2015-1946, A RESOLUTION AMENDING THE BOUNDARY OF THE HURRICANE VALLEY FIRE SPECIAL SERVICE DISTRICT TO INCLUDE THE CORPORATE LIMITS OF THE CITY OF HURRICANE

County Administrator Dean Cox acknowledged Mayor Bruce Densley, Chairman of the Hurricane Valley Fire Special Service District in attendance. Mr. Cox expressed that per Utah Code, Washington County has followed the proper process in amending the boundaries of the Hurricane Valley Fire (SSD) to include Hurricane City within the boundary, which will benefit both entities. A public hearing to receive input from the public was held on August 18, 2015. No opposition was expressed by citizens who own property or are registered voters in the district during the public hearing nor the sixty (60) day waiting period following the public hearing.

Deputy County Attorney Eric Clarke clarified that this Resolution No. R-2015-1946 will supersede Resolution R-2015-1913 that was passed earlier this year.

MOTION: Motion by Commissioner Iverson to Adopt Resolution No. R-2015-1946, a Resolution Amending the Boundary of the Hurricane Valley Fire Special Service District to Include the Corporate Limits of the City of Hurricane. Motion seconded by Commissioner Renstrom and carried by unanimous vote, with Commissioners Gardner, Iverson and Renstrom voting aye.

CONSIDERATION OF RESOLUTION NO. R-2015-1947, A RESOLUTION AMENDING THE BOUNDARY OF THE HURRICANE VALLEY FIRE SPECIAL SERVICE DISTRICT TO INCLUDE THE AREA WITHIN THE LEEDS AREA SPECIAL SERVICE DISTRICT AND OTHER AREAS IN EASTERN WASHINGTON COUNTY WHERE PRIVATE PROPERTY IS NOT CURRENTLY WITHIN A SPECIAL SERVICE DISTRICT THAT PROVIDES FIRE SERVICES

Mr. Cox acknowledged Mayor Peterson from Leeds in attendance and stated that the County received a resolution from the Leeds Area SSD requesting inclusion in the Hurricane Valley Fire SSD. Since August, the Hurricane Valley Fire SSD has been operating under a Memorandum of Understanding with the Leeds Area SSD, allowing services to be provided to the Leeds SSD service area by Hurricane Valley Fire SSD. Amending the Hurricane Valley Fire SSD to include the Leeds Area SSD and other unincorporated areas that are not currently within a SSD, will better facilitate the providing of fire and emergency services in those areas.

MOTION: Motion by Commissioner Iverson to Adopt Resolution No. R-2015-1947, a Resolution Amending the Boundary of the Hurricane Valley Fire Special Service District to Include the Area Within the Leeds Area Special Service District and Other Areas in Eastern Washington County Where Private Property is not Currently Within a Special Service District that Provides Fire Services. Motion seconded by Commissioner Renstrom and carried by unanimous vote, with Commissioners Gardner, Iverson and Renstrom voting aye.

PRESENTATION: TUACAHN - JEFF FISHER

Tuacahn Center for the Arts Executive Director of Development Jeff Fisher gave a presentation explaining the purpose of Tuacahn and how it has become an asset in the community by becoming a large economic driver in Washington County. Mr. Fisher continued by stating that in order for Tuacahn to continue in this capacity Tuacahn is seeking support from the cities and the County. He went on to explain the proposal along with what Tuacahn is trying to accomplish in securing a bond by requesting a long-term commitment from the RAP Tax, Washington County and cities.

(See attached for Power Point Presentation)

CONSIDERATION OF RESOLUTION NO. R-2015-1948, A RESOLUTION ACCEPTING THE RAP TAX ADVISORY BOARD RECOMMENDATION TO PLEDGE A PORTION OF THE RAP TAX FUNDS TO TUACAHN CENTER FOR THE ARTS

Commissioner Iverson reminded the public that when the RAP Tax was passed, fifteen percent (15%) was committed to cultural history and arts. The County was then tasked with the responsibility of establishing a board to make recommendations to the Commission based upon cultural history and art applications received. Commissioner Iverson stated that this portion of the RAP Tax is money set aside for culture and art in the community cannot be used for any other purpose.

Due to Tuacahn being an important asset to the community and needing to be preserved, the RAP Tax Advisory Board acted upon Tuacahn's request and recommended to the County, at the October 6, 2015 Commission meeting, an annual pledge of \$125,000 to go towards Tuacahn's bonding for ten (10) years.

MOTION: Motion by Commissioner Iverson to Adopt Resolution No. R-2015-1948, a Resolution Accepting the RAP Tax Advisory Board Recommendation to Pledge a Portion of the RAP Tax Funds to Tuacahn Center for the Arts. Motion seconded by Commissioner Renstrom and carried by unanimous vote, with Commissioners Gardner, Iverson and Renstrom voting aye.

CONSIDERATION OF RESOLUTION NO. R-2015-1949, A RESOLUTION PLEDGING A PORTION OF THE TRANSIENT ROOM TAX FUNDS TO TUACAHN CENTER FOR THE ARTS

Chairman Gardner and Commissioner Iverson discussed the Transient Room Tax Funds, how they are raised by room tax from individuals staying at local hotels, and how Tuacahn generates a major portion of that tax. State law restricts the use in which those funds can be distributed and is intended to establish and promote recreation, tourism, film production, and conventions.

MOTION: Motion by Commissioner Iverson to Adopt Resolution No. R-2015-1949, a Resolution Pledging a Portion of the Transient Room Tax Funds to Tuacahn Center for the Arts. Motion seconded by Commissioner Renstrom and carried by unanimous vote, with Commissioners Gardner, Iverson and Renstrom voting aye.

COMMISSIONERS' REPORT

Chairman Gardner stated that the Bureau of Land Management (BLM) approved a thirty (30) day extension for public comments on the Resource Management Plan (RMP). The deadline for public comment is now November 16, 2015. Chairman Gardner then mentioned that the County has made it convenient to comment on the Plan by visiting the County website and encouraged those that haven't taken the opportunity to comment to do so.

PUBLIC WORKS OR ROAD BUSINESS

Public Works Director Ron Whitehead mentioned that the construction projects have been completed in Hildale, Utah with the NRCS exigency funds.

The road crew is currently working on repairs to minor damage that occurred on County roads during the recent rain.

Commissioner Iverson expressed thanks to the Road Department for the work accomplished in Hildale.

COUNTY DEVELOPMENT AND PLANNING BUSINESS

Washington County Community Development Director Scott Messel reported that a zone change was approved at the October 13, 2015 Planning Commission meeting. The rezoning ordinance will become an item on the next Commission agenda for approval.

HCP BUSINESS

Mr. Rognan gave an update stating that the Habitat Conservation Plan (HCP) has been working hard over the last few months to provide comments and feedback relating to the BLM RMP and the potential affects to the HCP.

Progress has been made with the BLM on the Long Valley land exchange parcel.

In addition, the HCP is seeking additional land acquisitions from a portion of remaining Section 6 Grant funds received.

The last item mentioned was a trail that has been proposed by the Red Hills Golf Course for the purpose of visiting the historic quarry site. The City of St. George has approved the trail with the addition of netting in certain areas to protect the citizens from stray golf balls.

There being nothing further to come before the Commission, the meeting was adjourned at 5:07 p.m.

NICHOLLE M. FELSHAW
DEPUTY CLERK

ALAN D. GARDNER
CHAIRMAN